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C O N F I D E N T I A L SECTION 01 OF 03 CARACAS 000357

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SUBJECT: PRESS FREEDOM UPDATE

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[1](#)B. CARACAS 00264

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Classified By: POLITICAL COUNSELOR, ROBERT DOWNES  
FOR REASON 1.4 (B)

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SUMMARY  
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[1](#)1. (SBU) This press freedom update comes in the wake of President Chavez assuming the power to draft and promulgate decree-laws via an Enabling Law passed January 31 by the National Assembly (reftel b). We expect Chavez and the BRV to continue employing a variety of mechanisms - legal, economic, regulatory, judicial, and rhetorical - to harass the private media, aggravating the already hostile BRV attitude towards the free press. In this increasing authoritarian environment, many independent media owners are deciding to sell their outlets to pro-Chavez buyers -- including the daily of record, El Universal. Topics addressed in this update include:

- A contrite media is a happy media?
- Legal shenanigans dog the media, still
- OAS quarterly report
- "Network cannibalism"
- El Siglo offices raided
- The media (literally) sells out

END SUMMARY

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Forgiveness Through "Actions of Contrition"  
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[1](#)2. (U) Chavista Fifth Republic Movement (MVR) deputy and member of the Presidential Committee for Constitutional Reform Carlos Escarra sharply criticized Radio Caracas Television (RCTV), a major opposition television outlet, in a January 23 interview with El Universal, but noted that "forgiveness" is possible. Escarra said, "RCTV is exploiting a public good and the State has the right and responsibility to determine whether that concession is renewed or not." He added that the BRV does not plan to revoke the concessions of other private media sources. When asked to comment on Venevision's actions during Chavez' brief ouster in 2002, Escarra said that the "(Bolivarian) Revolution is based on love...for some it is based on the teachings of Jesus Christ. We believe in forgiveness when there are acts of

contrition." Referring to Venevision's change in its editorial line, he added, "We believe in forgiveness when forgiveness is asked for, when responsibility is assumed for one's actions." (Note: Venevision, formerly staunchly anti-Chavez, has watered down its editorial content to avoid conflicts with the government. End Note) Escarra said that the government was not encouraging self-censorship, but that it was the responsibility of the private media to examine its programming on a daily basis.

¶3. (U) In a possible response to Escarra's comments, RCTV released a February 7 full page ad in El Universal appealing to the Venezuelan public. The open letter noted that, to date, RCTV has not been officially fined or sanctioned by any BRV ministry. It also accused Chavez of aggressions against the private media and of restricting the right of the public to seek entertainment and information through the medium of their choice. (Note: RCTV claims its licensing contract expires June 12, 2022, not May 27, 2007 as Chavez has repeatedly indicated. END NOTE)

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More Legal Tribulations  
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¶4. (C) The BRV is also going ahead with a range of legal actions against the media. Recent press accounts note that the Supreme Court will hold hearings on whether TV outlets RCTV, CMT, Globovision, and Televen violated the law regarding "suitable children's content" during the 2002-3 general strike. Equally absurd is the conclusion reached by the court in the trial of journal Tal Cual. In that case, the court levied a fine of over USD 75,000 against owner (and Chavez nemesis) Teodoro Petkoff and humorist Laurencio Marquez for "violating the rights of children" by publishing a satirical article in which Marquez asked President Chavez' daughter if she might ask her daddy to fix a few things for

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Venezuela.

¶5. In January, the BRV also threatened "Ninos Cantores Television" (NCTV), -- a Catholic Church network of three stations which had run programming critical of the Chavez administration - of their broadcast license. The lawyer representing NCTV told PAS that only the intervention of the Archbishop of Maracaibo and the mobilization of the Catholic Church prevented the wholesale elimination of NCTV. Nevertheless, the BRV did squeeze NCTV into "voluntarily" surrendering frequencies it was not using, and Telecommunications Minister Jesse Chacon made it clear to NCTV management that "we'll be watching you".

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OAS  
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¶6. (U) The Office of the OAS Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights presented January 29 its quarterly report on the situation of freedom of expression in the region, covering the last quarter of 2006. The Office, headed by Venezuelan national Ignacio Alvarez, continued to monitor RCTV's licensing case closely. The report referenced a July 2006 advisory note sent by the Inter-American Commission for Human Rights to the Ministry of Foreign Affairs reminding the BRV that the OAS Democratic Charter establishes that signatory states refrain from infringing on freedom of expression by indirect methods such as abuse of official controls or any other actions that limit the free flow of ideas. The report also expressed concern over incidents of physical assault and threats against journalists in the region, particularly in Venezuela.

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Network Cannibalism: Tapping into RCTV's Market Share

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¶17. (C) Far from engendering a "we must hang together or will hang separately" attitude, the escalation of BRV pressure is encouraging media cannibalism. Editorial breastbeating about RCTV's plight notwithstanding, traditionally opposition print media have not been averse to accepting the BRV's full page ads attacking RCTV. In a discussion with PAS officers, RCTV president Marcel Granier mentioned that "go along to get along" TV network Venevision is keen to steal RCTV's market share and actively recruiting RCTV employees. The lack of solidarity within the media is taking hold in the public in general. In PAS meetings with national radio network Union Radio, executives noted that in 2002 Venezuelans took to the streets by the thousands in response to government attempts to intimidate the media; a recent march called in support of RCTV drew a scant 200 demonstrators. The internecine warfare is becoming petty: Venevision complained to Globovision about the latter's supposed "unauthorized" use of footage from Chavez' February 4, 1992 coup - in the face of a long-standing practice of all television stations sharing - and appropriately crediting - footage.

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Newspaper Offices Raided

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¶18. (SBU) Aragua state police raided the offices of the daily newspaper El Siglo in Maracay, January 26, following a dispute among the board of directors over the creation of a pro-Chavez workers' union. According to Embassy's local media sources, differences in the editorial line prompted some members of the board to solicit the help of pro-Chavez Aragua governor Dialco Bolivar. These same sources indicate that El Siglo, despite its pro-government line, had become a nuisance for Bolivar. El Siglo remained closed for seven days, January 26-February 5, as a result of the police takeover.

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The Media (Literally) Sells Out

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¶19. (C) BRV harassment has led many media owners to decide that there is no future in the business, and that the time is ripe to rid themselves of vulnerable media enterprise. Late last year national TV network CMT was purchased by Telesur to enable this cable-only network to have a free-to-air channel inside Venezuela. Early in 2007, popular national radio chain Radio Rumbos was sold to Pedro Torres and Merinvest,

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bank with ties to the family of Telecommunications Minister Jesse Chacon. Radio Rumbos owner Andres Serrano (Protect) informed PAS that he was selling because his children were not interested in running the station, and that the government was refusing to advertise while waving off other advertisers. He was also afraid that the government was going to cancel his broadcast license in any event.

¶10. (C) The most significant sale is that of Venezuela's most prominent daily, "El Universal." Owner Andres Mata informed PAS that he has sold the business to a banker from Maracaibo in a deal which should take up to six months to conclude, implying that there was no longer any good fight to fight against the BRV. Mata is already spending most of his time outside Venezuela due to threats against his life. There are also rumors circulating that major TV network Venevision and leading national radio chain Union Radio will be sold soon.

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Comment

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¶11. With the ability to rule by decree for the next 18 months, we expect Chavez' repression of the press to only

increase. The well-publicized crusade to shutter RCTV is the most prominent example of Chavez, and the BRV's ceaseless efforts to slowly dismantle any semblance of free press in Venezuela, also reflect the BRV's persistent efforts to create a climate of self-censorship. RCTV's public appeal, on the other hand, indicates that it plans to continue fighting for its right to broadcast and that it refuses to go away quietly. The status of freedom of the press is bleak and getting bleaker in Venezuela. Post expects that Chavez, emboldened by the Enabling Law, will seek to silence all but the most marginal of private media in the short to medium term.

BROWNFIELD